

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD/FM)
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This document relates to: Estate of John P. O'Neill, Sr., *et al.* v. Al Baraka Investment and Development Corp, *et al.*, 04-CV-1923 (GBD)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)
) ss.:
COUNTY OF NEW YORK)

Jerry S. Goldman, being duly sworn, deposes and says:

1. I am an attorney admitted to practice in the above captioned matter, and a member of the law firm Anderson Kill P.C. I am familiar with the facts and circumstances in this action.
2. The O'Neill Plaintiffs' Summons(es), Complaint(s) and Notice(s) of Suit, and translations of each where necessary, filed in the above-captioned matter were served upon the following Defendants in the manner(s) described below.
3. **Enaam M. Arnaout:** Service was effectuated on Defendant Enaam M. Arnaout by the United States Marshals Service. Service was effectuated at the Oxford federal correctional institution, located at County Road G & Elk Avenue, Grand Marsh, Wisconsin 53936. On January 6, 2004, Gina M. MacNeill, Esq. of the Law Offices of Jerry S. Goldman & Associates, P.C. sent three copies each of the Complaint, First Amended Complaint, Second Amended Complaint, Summons and Form USM-285 to Robert Fagan of the United States Marshals

Service, as instructed by Assistant U.S. Attorney Sarah Normand. A true and correct copy of Ms. MacNeill's January 6, 2004 letter is attached hereto as Exhibit A. On February 23, 2005 at 12:05 p.m., a representative of the United States Marshals Service served the above-referenced documents on Mr. Arnaout. A true and correct copy of the Form USM-285 proof of service is attached hereto as Exhibit B.

4. **Hamed Al Barakati:** Service was effectuated on Defendant Hamed al Barakati by the Central Authority of Germany, pursuant to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the "Hague Convention"). On June 1, 2005, Joshua M. Ambush of the Law Offices of Joshua M. Ambush, LLC submitted Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and German), to the German Central Authority. A true and correct copy of the Form USM-94 is attached hereto as Exhibit C. On July 25, 2005, the German Central Authority effectuated service on Mr. al Barakati at Dorfstrasse 17, 25566 Rethswich, Germany. Service was effectuated by leaving the documents with Hr. Tatari, identified as an employee of Mr. al Barakati. On August 25, 2005, the District Court for Itzehoe, Germany (Amtsgericht Itzehoe) affixed its seal to a certificate attesting to the validity of the service. On August 30, 2005, the Appellate Court for Itzehoe, Germany (Landgericht Itzehoe) affixed its seal to the same certificate. A true and correct copy of the certificate in English, German and French is attached hereto as Exhibit D.

5. **Tatex Trading GmbH a/k/a Tatex Trading GmbH:** Service was effectuated on Defendant Tatex Trading GmbH ("Tatex") by the Central Authority of Germany, pursuant to the Hague Convention. On June 1, 2005, Joshua M. Ambush of the Law Offices of Joshua M. Ambush, LLC submitted Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and German), to the German Central Authority. A true and correct copy of the Form USM-94 is attached hereto as Exhibit E. On July 25, 2005, the German Central Authority effectuated service on Tatex at Dorfstrasse 17, 25566 Rethswich, Germany. Service was effectuated by leaving the documents with Hr. Tatari, identified as an employee of Tatex. On August 25, 2005, the District Court for Itzehoe, Germany (Amtsgericht Itzehoe) affixed its seal to a certificate attesting to the validity of the service. On August 30, 2005, the Appellate Court for Itzehoe, Germany (Landgericht Itzehoe) affixed its seal to the same certificate. A true and correct copy of the certificate in English, German and French is attached hereto as Exhibit F. Service was also effectuated on Tatex Trading GmbH ("Tatex GmbH"), an alias of Defendant Tatex Trading GmbH, by the Central Authority of Germany pursuant to the Hague Convention. On July 11, 2005, Joshua M. Ambush of the Law Offices of Joshua M. Ambush, LLC submitted Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and German), to the German Central Authority. A true and correct copy of the Form USM-94 is attached hereto as Exhibit G. On August 11, 2005, the German Central Authority effectuated service on Tatex GmbH at Dorfstrasse 17, 25566

Rethswich, Germany. Service was effectuated by leaving the documents with Abdul Karim Tatari, identified as an employee of Tatex GmbH. On August 25, 2005, the District Court for Itzehoe, Germany (Amtsgericht Itzehoe) affixed its seal to a certificate attesting to the validity of the service. On August 30, 2005, the Appellate Court for Itzehoe, Germany (Landgericht Itzehoe) affixed its seal to the same certificate. A true and correct copy of the certificate in English, German and French is attached hereto as Exhibit H.

6. **Triple B Trading Company GmbH:** Service was effectuated on Defendant Triple B Trading Company GmbH ("Triple B") by the Central Authority of Germany, pursuant to the Hague Convention. On June 1, 2005, Joshua M. Ambush of the Law Offices of Joshua M. Ambush, LLC submitted Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and German), to the German Central Authority. A true and correct copy of the Form USM-94 is attached hereto as Exhibit I. On July 27, 2005, the German Central Authority effectuated service on Triple B at Dorfstrasse 17, 25566 Rethswich, Germany. Service was effectuated by leaving the documents with Abdul Matin Tatari, identified as the president of Triple B. On August 25, 2005, the District Court for Itzehoe, Germany (Amtsgericht Itzehoe) affixed its seal to a certificate attesting to the validity of the service. On August 30, 2005, the Appellate Court for Itzehoe, Germany (Landgericht Itzehoe) affixed its seal to the same certificate. A true and correct copy of the certificate in English, German and French is attached hereto as Exhibit J.

7. Nasco Business Residence Center SAS Di Nasreddin Ahmed Idris EC a/k/a

Nasco Business Residence SAS: Service was effectuated on Defendant Nasco Business Residence Center SAS Di Nasreddin Ahmed Idris EC a/k/a Nasco Business Residence SAS (“Nasco Business”) by the Central Authority of Italy, pursuant to the Hague Convention. On July 8, 2005, Joshua M. Ambush of the Law Offices of Joshua M. Ambush, LLC submitted Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and Italian), to the Italian Central Authority. A true and correct copy of the Form USM-94 is attached hereto as Exhibit K. The Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and Italian), were received by the Central Authority of Italy on or about July 22, 2005. On or about July 29, 2005, the same documents were received Public Prosecutor’s Office of Milan—Protocol Office. On or before August 1, 2005, the Italian Central Authority effectuated service on Nasco Business at Corso Sempione 69, 20149, Milan, Italy. On August 1, 2005, the Public Prosecutor’s Office of Milan—Civil Secretary affixed its seal to a certificate attesting to the validity of the service. The Court of Appeals of Rome also affixed its seal to the same certificate. True and correct copies of the certificate in English and Italian are attached hereto as Exhibit L.

8. Nasco Service S.R.L.: Service was effectuated on Defendant Nasco Service S.R.L. (“Nasco Service”) by the Central Authority of Italy, pursuant to the Hague Convention. On July 7, 2005, Joshua M. Ambush of the Law Offices of Joshua M. Ambush, LLC submitted Form USM-94, along with the Summons, Second

Amended Complaint and summary of the documents being served (in English and Italian), to the Italian Central Authority. A true and correct copy of the Form USM-94 is attached hereto as Exhibit M. The Form USM-94, along with the Summons, Second Amended Complaint and summary of the documents being served (in English and Italian), were received by the Central Authority of Italy on or about July 21, 2005. On or about July 29, 2005, the same documents were received Public Prosecutor's Office of Milan—Protocol Office. On or before August 1, 2005, the Italian Central Authority effectuated service on Nasco Service at Corso Sempione 69, 20149, Milan, Italy. On August 1, 2005, the Public Prosecutor's Office of Milan—Civil Secretary affixed its seal to a certificate attesting to the validity of the service. True and correct copies of the certificate in English and Italian are attached hereto as Exhibit N.

Dated: October 31, 2014
New York, NY



Jerry S. Goldman, Esquire
ANDERSON KILL P.C.
1251 Avenue of the Americas
New York, NY 10020

Sworn to before me this 31st
Day of October, 2014.



Notary Public

MAXWELL NICHOLAS ROBERT
NOTARY PUBLIC, State of New York
No. 02MA6260569
Qualified in King County
Commission Expires April 30, 2016